United Nations A/54/815–S/2000/262

General Assembly
Security Council

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English
Original: French

General Assembly
Fifty-fourth session
Agenda item 53
Report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Security Council
Fifty-fifth year

Letter dated 24 March 2000 from the Permanent Representative of Portugal to the United Nations addressed to the Secretary-General

I have the honour to bring to your attention the statement on the extradition of Mladen Naletilic (Tuta) to the International Criminal Tribunal for the former Yugoslavia in The Hague, issued on 21 March 2000 by the President of the European Union on behalf of the European Union (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under agenda item 53, and of the Security Council.

(*Signed*) António **Monteiro**
Permanent Representative of Portugal to the United Nations

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Annex

[Original: English and French]

Statement on the extradition of Mladen Naletilic (Tuta) to the International Criminal Tribunal for the former Yugoslavia in The Hague issued on 21 March 2000 by the Presidency of the European Union on behalf of the European Union

The European Union acknowledges the decision by the Croatian Government to extradite to The Hague Mladen Naletilic (Tuta), in order that he be put on trial by the International Criminal Tribunal for the former Yugoslavia on charges of having committed crimes against humanity in southern Bosnia.

The European Union welcomes the Croatian Government's gesture, which is in line with the new Croatian leadership's commitments to achieve significant progress in the respect for human rights and fundamental freedoms.

The European Union has stressed, in its Council Declaration of 24 January and in recent high-level contacts, that the respect by Croatia of international commitments, notably full cooperation with the Tribunal, together with meaningful reforms in the political and economic field, are prerequisites for bringing Croatia closer to European structures.

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General Assembly
Fifty-fourth session
Agenda item 63
Question of Cyprus

Security Council
Fifty-fifth year

Letter dated 28 March 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 27 March 2000, addressed to you by His Excellency Mr. Aytuğ Plümer, Representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the text of the present letter and its annex would be circulated as a document of the General Assembly, under agenda item 63, and of the Security Council.

(*Signed*) Şafak **Göktürk**
Deputy Permanent Representative
Chargé d'affaires a.i.

00-36647 (E) 290300

Annex

Letter dated 27 March 2000 from Mr. Aytuğ Plümer addressed to the Secretary-General

Upon instructions from my Government, I have the honour to refer to the letter dated 8 February 2000 (A/54/743-S/2000/100) addressed to you by the Greek Cypriot Representative at the United Nations, which contains allegations of "violations of the airspace of the Republic" and of "the flight information region (FIR) of Nicosia".

It will be recalled that similar allegations of so-called "airspace and FIR violations" were rejected in our previous communications addressed to you, most recently in my letter dated 27 January 2000 (A/54/728-S/2000/66, annex). I wish to reiterate that flights within the sovereign airspace of the Turkish Republic of Northern Cyprus take place with the full knowledge and consent of the appropriate authorities of the State, over which the Greek Cypriot administration in South Cyprus has no jurisdiction or any right whatsoever.

As reiterated in my previous letters, such allegations by the Greek Cypriot administration stem from the false pretence that the sovereignty of the Greek Cypriot administration extends over the territory of the Turkish Republic of Northern Cyprus. The reality in Cyprus, however, is that there exist in the island two politically equal peoples and their respective sovereign states. It is the chronic denial of this reality which renders the Cyprus question intractable.

The Greek Cypriot administration, supported by Greece, is continuing with its dangerous military build-up in South Cyprus, which exacerbates the crisis of confidence between the two peoples, thus making it difficult to achieve progress in preparing the ground for reconciliation in Cyprus.

The Greek Cypriot daily *Fileleftheros* reported on 18 March 2000 that the necessary funds have been earmarked by the Greek Cypriot administration for the purchase of a second modern radar system with a range of 300 km. The Greek Cypriot dailies *Politis* and *Mahi* both reported, on 3 and 4 March 2000, respectively, that, in the context of the "Joint Military Doctrine", Greece had donated to South Cyprus a patrol vessel equipped with modern weapons and communications systems. *Politis* further reported on 22 March 2000 that the Greek Cypriot administration intends to purchase two additional patrol vessels, possibly from Greece. *Mahi*, on 21 March 2000, further reported that the Greek Cypriot administration is purchasing four Bell type helicopters in addition to the four Bell type and three Gazelle helicopters already in possession of the Greek Cypriot National Guard. *Politis* reported on 21 March 2000 that four Russian-made short-range TOR-M1 missiles will arrive in South Cyprus within the next month, in addition to the two TOR-M1 missiles which Greece will provide to the Greek Cypriot administration later this year. *Haravgi* dated 11 March 2000 reported that the Greek Cypriot Ministry of Defence is recruiting professional military personnel from Greece for a period of five years, to operate high-tech weapons systems as well as armoured vehicles and tanks.

The policy of escalation pursued by the Greek Cypriot administration, as well as its ongoing campaign of misinformation against the Turkish Republic of Northern Cyprus, demonstrate that the Greek Cypriot side is far from coming to terms with

the current reality in the island, i.e., the existence of two peoples and their respective states.

We call upon you and all those who are interested in a peaceful settlement of the Cyprus question to direct their efforts towards convincing the Greek Cypriot side to abandon its policy of misinformation and to work towards preparing the ground for meaningful negotiations leading to a comprehensive settlement between the two states in Cyprus. It is hoped that the Greek Cypriot side will be induced to adopt a fresh and constructive attitude, essential for the success of the current process of proximity talks which are due to resume in May.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 63, and of the Security Council.

(*Signed*) Aytuğ **Plümer**
Representative
Turkish Republic of Northern Cyprus

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Security Council

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Letter dated 24 March 2000 from the President of the Security Council addressed to the Secretary-General

Referring to document S/2000/40 of 15 February 2000, entitled "Summary statement by the Secretary-General on matters of which the Security Council is seized and on the stage reached in their consideration", and pursuant to the procedure set out in the note by the President of the Security Council of 29 August 1996 (S/1996/704), I have the honour to notify you of the wish of the members of the Security Council to have the item "Security Council working methods and procedure" retained on the list of matters of which the Security Council is seized.

(Signed) Anwarul Karim **Chowdhury**
President of the Security Council

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Letter dated 28 March 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Papua New Guinea to the United Nations addressed to the President of the Security Council

I attach for the information of the members of the Security Council the Loloata Understanding on the Bougainville issue.

You will note that from 17 to 23 March 2000 a historic meeting was held between all key leaders of Bougainville (with the exception of Francis Ona) and the Papua New Guinea Government delegation led by the Minister for Mining and Bougainville Affairs, Sir Michael Somare, KBE, MP.

The results of that meeting, although not conclusive, are nonetheless very positive as they pave the way forward on the difficult political issue of the status of the North Solomons Province (commonly known as Bougainville).

The Loloata Understanding was signed by the Government of Papua New Guinea and the Bougainville leaders, including the Minister for Mining and Bougainville Affairs, Sir Michael Somare, KBE, MP; the Governor, John Momis; the President of the Bougainville Peoples Congress (BPC), Joseph Kabui; and the leader of the Leitana Council of Elders, Joel Banam, in the presence of the head of the United Nations Political Office in Bougainville, Noel Sinclair, and Ewan MacMillan, Chief Negotiator of the Regional Peace Monitoring Group.

Prominent among the issues discussed and agreed to was the question of a democratically elected Autonomous Government of Bougainville by the people within the general framework of the Papua New Guinea Constitution. This means that the "Autonomous Government of Bougainville" would be accorded wider powers mutually negotiated outside of the current Organic Law on Provincial Governments by the Government of Papua New Guinea and the leaders of Bougainville.

The delegation of the Government of Papua New Guinea also agreed to take on board the question of a future referendum by the people of Bougainville after an autonomous government is democratically elected and has been in operation for a number of years. The details of the referendum question were not comprehensively discussed and agreed upon but the Loloata Understanding ensured the discussion of the same at future meetings.

As can be seen from this Agreement, the role of the United Nations monitors, led by Ambassador Noel Sinclair, is an essential catalyst for the peaceful settlement

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of the Bougainville issue. There is therefore a need for the continued engagement of the United Nations observers on Bougainville.

I would appreciate it if the Loloata Understanding were distributed as a document of the Security Council.

(*Signed*) Jimmy U. **Ovia**
Chargé d'affaires a.i., Minister

Annex

Loloata Understanding

Bougainville leaders and the National Committee on Bougainville met at Loloata Island and in Port Moresby from 17th to 23rd March 2000.

- The parties remain committed to the peace process and to continued consultation and cooperation within the framework and spirit of the *Lincoln Agreement*;
- The parties acknowledge that for the peace process to continue to develop successfully, it must be as inclusive as possible, having the support and approval of the widest possible range of leaders in Bougainville and in Papua New Guinea more generally;
- The parties discussed the Bougainville paper, 'Bougainville Common Negotiating Position: Expanded Details' dated 8th March 2000, the Papua New Guinea Government paper, 'The National Delegation's Position on the Bougainville Delegation's Autonomy Proposals' dated 19th March 2000, and other papers, and agree that these documents provide the basis for future negotiations between the parties.

The Parties agree on the following matters:

Interim Arrangements

1. The Bougainville Interim Provincial Government will be established under the Transitional Provisions of the *Organic Law on Provincial Governments and Local-level Governments* in accordance with the decision of the National Court of 10th March 2000.

2. The parties note that arrangements for cooperation between the Bougainville Interim Provincial Government and the Bougainville People's Congress and Councils of Elders have been agreed under the *Greenhouse Memorandum* of 23rd December 1999.

3. Negotiations on a political settlement will continue with the Bougainville Leaders.

Autonomy

4. The arrangement for an autonomous Bougainville Government will:
    - Enable it to deal with the sources of the Bougainville conflict and prevent it from occurring again;

- Enable Bougainville to express and develop both its own identity and its relationship with the rest of Papua New Guinea.

5. The arrangements for an autonomous Bougainville Government will be provided within the Papua New Guinea *Constitution*, including any amendments, and will include provision for the following matters:
   a. Bougainville will establish an elected autonomous government developed through a democratic process.
   b. The autonomous Bougainville Government will meet accepted standards of good governance.
   c. Bougainville will have responsibility for major powers and functions of government to be agreed upon.
   d. Bougainville will take some years to exercise many legislative powers and functions. Until Bougainville assumes responsibility for the full range of its powers and functions, National Government legislation and institutions will continue to apply.
   e. Bougainville will need the fiscal and personnel resources required to carry out its functions.
   f. Bougainville will receive substantial funds for reconstruction, restoration and development activities to support the peace process.

Referendum

6. The National Government acknowledges the aspirations for a binding referendum on independence as called for by the Bougainvillean leaders. The parties reaffirm their support for a progressive political settlement that takes account of, among other things, the wishes of the people of Bougainville. The parties will address the referendum issue. The parties agree that the holding of the referendum may be deferred until after autonomy has been implemented and can be fairly and properly judged.

Next Steps and Timetable

7. Officials of the parties will meet to develop:
   a. detailed proposals within the framework provided by this agreement; and
   b. a draft agenda for the next Leaders' meeting.

8. The parties acknowledge the helpful role that the United Nations Observer Mission on Bougainville can play at their meetings.

9. The parties agree that there should be increased direct contact between National Government Leaders and Bougainville Leaders.

10. The next Leaders' meeting will be held no later than May 2000.

Signed in Port Moresby on Thursday the 23rd day of March 2000.

.....
Rt. Hon. Sir Michael Somare
Minister for Bougainville Affairs and Chairman of the National Committee on Bougainville

.....
Hon. John Momis
Co-Leader of the Bougainville Delegation

.....
Joel Banam
Chairman, Leitana Council of Elders

.....
Joseph Kabui
Co-Leader of the Bougainville Delegation

Signed in the presence of:

.....
Ambassador Noel Sinclair
Director of the United Nations Observer Mission on Bougainville

.....
Ewan MacMillan
Chief Negotiator
Peace Monitoring Group